

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

**KYLE DAMOND JONES,**

Plaintiff,

v.

**DALLAS COUNTY,**

Defendant.

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Civil Action No. **3:21-CV-37-L-BN**

**ORDER**

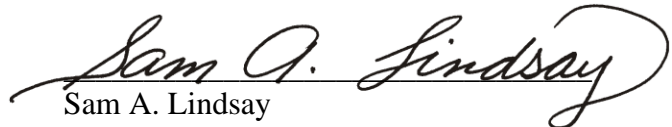
The Findings, Conclusions and Recommendation of the United States Magistrate Judge (“Report”) (Doc. 7) was entered on January 12, 2021. The Report concludes that Plaintiff has failed to state claims upon which relief can be granted. Given Plaintiff’s pro se status, the Report recommends that court dismiss without prejudice his claims for alleged constitutional violations, brought pursuant to 42 U.S.C. § 1983, and allow him to amend his pleadings given his pro se status.

Plaintiff filed objections to the Report (Doc. 8) on January 14, 2021, in which he disagrees with the magistrate judge’s conclusion that he has not alleged any legally viable claims for relief and asserts that this determination is “asinine [sic].” Obj. 1. On January 19, 2021, Plaintiff also file a Motion to Amend Complaint (Doc. 9).

Having considered the pleadings, record in this case, and Report, and having conducted a de novo review of that portion of the Report to which objection was made, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. The court, therefore, **overrules** Plaintiff’s objections to the Report and **dismisses without prejudice** his Complaint, but it will allow him to amend his pleadings to correct the

deficiencies noted in the Report. Any amended complaint must be filed by Plaintiff by **April 30, 2021**. *Failure to file an amended complaint by this date will result in dismissal of this action under Federal Rule of Civil Procedure 41(b) for failure to prosecute and comply with a court order.* As the court is allowing Plaintiff to amend his pleadings in accordance with the magistrate judge's recommendation, it **denies as moot** his Motion to Amend Complaint (Doc. 9).

**It is so ordered** this 2nd day of April, 2021.

  
Sam A. Lindsay  
United States District Judge